

House Government Operations Committee

Amendment No. 1 to HB2418

Kernell
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2106*

House Bill No. 2418

By adding the following as new sections to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 13-2-304, is amended by adding the following language to the end of the existing section:

Provided, that any land use rule, plan, regulation, or zoning ordinance adopted by the board affecting land within or adjoining any governmental entity, including any governmental entity with authority to adopt zoning, and within one third (1/3) of a mile thereof, shall be consistent with the land use plan of the unit of such local government and subject to the approval of the governing body of that unit of local government.

SECTION _____. Tennessee Code Annotated, Section 13-2-301, is amended in subsection (b) of Article VII by deleting in the first sentence the word "exclusive".

SECTION _____. Tennessee Code Annotated, Section 13-2-301, is amended in subsection (b) of Article XXXII, Construction of Compact, by deleting the language of such article in its entirety and by substituting instead the following:

Article XXXII. Construction of Compact

Nothing in this section shall be construed so as to conflict with or modify any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other economic development project, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state. The authority conferred by this compact shall not be construed as an exemption from the provisions of Tennessee Code Annotated, Title 65, or from the provisions of Mississippi Code, Section 77-3-1 *et seq.*, as to the requirements for obtaining a certificate of public convenience and

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necessity, the jurisdiction of the Tennessee Regulatory Authority and the jurisdiction of the Mississippi Public Service Commission to regulate rates, or any other provision of the laws of either state. Furthermore, nothing in this compact shall be construed to deprive, prevent, or hinder a regulated public utility from exclusively providing its services in those portions of the compact area that are now or hereafter included within a certificate of public convenience and necessity issued to the public utility by the Tennessee Regulatory Authority or, the Mississippi State Public Service Commission, or other appropriate regulatory agency. The authority conferred by this compact shall not be construed as a grant of authority to provide cable television, video transmission, video programming services, or other similar service, and this compact shall be subject to all federal, state and local laws, ordinances, rules and regulations governing such services.